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1-22-02

PATENT

ATTORNEY DOCKET NO.: 041464-5018-01

#24
2/21/02
DC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tomohiro KAWATA et al.

U.S. Application No.: 08/931,615

Filing Date: September 16, 1997

For: SPEAKER UNIT

Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 2643

Examiner: H. Le

Technology Center 2600

JAN 28 2002

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VIA FACSIMILE
Attention: Ms. Margaret Stevens, SLIE

Sir:

**PETITION UNDER 37 C.F.R. § 1.181 TO RESET THE
PERIOD FOR REPLY TO AN EXAMINER'S ANSWER**

Pursuant to 37 C.F.R. § 1.181 Applicants hereby respectfully petition the Commissioner to reset the period for reply to the Examiner's Answer due to late receipt of the Answer.

Applicants' reason in support of this Petition is that the Examiner's Answer, the first two pages of which are attached, is dated as having been mailed on November 27, 2001; however, due to an apparent delay in the U.S. Postal System, this correspondence was not delivered to our Firm until January 15, 2002.

In support of this Petition, Applicants respectfully submit the first page of the Official Communication forwarding the Examiner's Answer, which is dated as having been mailed from the PTO on November 27, 2001. The Commissioner's attention is respectfully drawn to our Firm's "Received" stamp indicating the Examiner's Answer arrived at our firm on January 15, 2002. It is our longstanding Firm policy and practice to date-stamp papers received from the

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U.S. Application No. 08/931,615
Attorney Docket No. 041464-5018-01
Page 2

PTO as "Received" on the day of receipt. We thus submit this as evidence that the Examiner's Answer did not arrive at our Firm until January 15, 2002.

For the foregoing reasons, Applicants hereby respectfully petition the Commissioner to reset the two-month period for reply to the Examiner's Answer and to request an oral hearing to run from January 15, 2002, which was the actual date of receipt of this paper at our Firm.

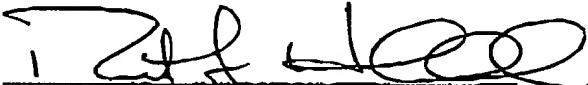
If required, please charge the requisite \$130.00 petition fee due under 37 C.F.R. § 1.17(h) to our Deposit Account No. 50-0310. The Commissioner is hereby authorized to charge any additional fees which may be necessary, or credit any overpayment, to our Deposit Account No. 50-0310.

In view of the very short period remaining in the original period set for reply to the Examiner's Answer, an early decision is respectfully and earnestly solicited.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: January 18, 2002

By:


Robert J. Hollingshead
Reg. No. 44,479

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-5770

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 08/931,615 | 09/16/1997 | TOMOHIRO KAWATA | 041464-5018 | 4409 |

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MORGAN LEWIS & BOCKIUS
 1800 M STREET NW
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MORGAN LEWIS & BOCKIUS LLP

EXAMINER

LE. HUYEN D

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 11/27/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed 1-15-02 Attorney JGS/RTH
 Case 441464-5018
 Due Date 1-27-02
 Action Reply Brief / Oral Hearing
 By PSB CRK

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 23

Application Number: 08/931,615

Filing Date: 09/16/1997

Appellant(s): Kawata et al.

PHILIP J. HOFFMANN
For Appellant

Mailed

NOV 20 2001

EXAMINER'S ANSWER

Technology Center 2600

This is in response to appellant's brief on appeal filed 09/06/2001.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

U.S. Patent & Trademark Office
Technology Center 1600/2900
Crystal Mall 1-3-D13
1911 South Clark Place
Arlington, VA 22202

Fax No. 703-308-4407
Phone No. 703-305-3608

Facsimile Transmittal

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Attn: Earline Green

Fax: 308-5401

Margaret Stevens

Date: January 28, 2002

Ref: 08/931,615

Pages: 6

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**Notes: Attach is a copy of request to restart the period. Document
was faxed to me on January 18, 2002.**

1800 M Street, N.W.
 Washington, D.C. 20036-5869
 Tel. 202-467-7000
 Fax: 202-467-7176

Morgan, Lewis
 & Bockius LLP
 COUNSELORS AT LAW

FAX MESSAGE**Send to:**

(1) Name: Ms. Margaret Stevens, SLIE

FAX Number: 703.308.4407

Firm: USPTO

Telephone Number: 703.305.3608

From:

Name: Robert J. Hollingshead

Floor: 9S

Telephone Number: 202 739-5770

Date Sent: January 18, 2002

Number of Pages (INCLUDING COVER PAGE): 5**Note:**

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Comments:

Re: U.S. Patent Application No. 08/931,615
 PETITION UNDER 37 C.F.R. § 1.181 TO RESET THE
 PERIOD FOR REPLY TO AN EXAMINER'S ANSWER

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 37 CFR 1.181 APPEALS
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